

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2016

CORAM:

THE HON'BLE MR. JUSTICE P.N. PRAKASH

Cont.P. No.1641 of 2016

V.Ashok Raj

Petitioner

vs.

Settu
Inspector of Police
J7 Velachery Police Station
Velachery, Chennai 600 042.

Respondent

Contempt Petition filed under Section 11 of Contempt of Courts Act to punish the respondent for his wilful disobedience of the order passed in CrI.O.P.No.18673 of 2015 dated 24.08.2015.

For petitioner
For Respondent

Mr.B.Sundarapandiyan
Mr. C. Emalias
Additional Public Prosecutor

ORDER

This petition has been filed to punish the respondent for his wilful disobedience of the order passed in CrI.O.P.No.18673 of 2015 dated 24.08.2015.

2. Heard Mr.B.Sundarapandiyan, learned counsel appearing for the petitioner.

3. The petitioner filed CrI.O.P.No.18673 of 2015 for a direction to the respondent police to register an FIR on

his complaint dated 13.07.2015. Since the complaint was sent by post, this Court passed the following order:

"4. In view of the said submission, the petitioner is directed to submit a copy of the complaint dated 13.07.2015 to the respondent police and on such submission of the complaint, the respondent is directed to conduct enquiry, and during the course of the enquiry, if any cognizable offence is made out, a regular case shall be registered, following the law laid down by the Hon'ble Supreme Court in Lalita Kumar Vs. Government of Uttar Pradesh and others reported in (2014) 2 SCC 1."

This contempt application has been filed on the ground that the respondent police have not complied with the order dated 24.08.2015.

4. When the matter was taken up for hearing, learned Additional Public Prosecutor submitted that pursuant to the order dated 24.08.2015, the petitioner appeared for enquiry on 15.09.2015 and 21.02.05 and undertook to produce certain documents and thereafter, the petitioner has not produced the documents. Therefore, the police are not able to proceed with the enquiry.

5. In the considered opinion of this Court, in the order dated 24.08.2015 this Court has not given any positive directions to the respondent to complete the enquiry within a particular time. Hence, there are no

prima facie materials for issuing statutory notice. The petitioner is directed to co-operate in the enquiry and if

he does not co-operate in the enquiry, it is open to the respondent police to close the enquiry under intimation to the petitioner.

With the above direction, this petition is closed.

Sd/-

JOINT REGISTRAR(OS)

gms

//Certified to be true copy//

Dated at Madras this the day of 2016.

COURT OFFICER(O.S.)

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SMI/CO/03/08/2016

To

- 1.The Inspector of Police,
J7 - Velachery Police Station,
Velachery, Chennai 600 042.

One CC to M/s.A.Rajesh Kanna, Advocate, Sr.No.8825/2016.

सत्यमेव जयते

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